

OFFICE OF EXECUTIVE POLICY AND PROGRAMS OUTSIDE AND SECONDARY EMPLOYMENT

THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENTS OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

I. Policy

Outside employment of Governor's Office employees is not encouraged. It is the policy of the Governor's Office that personnel of the agency may engage in outside employment subject to the conditions and limitations imposed herein. Nothing contained in this policy, however, shall abridge the authority of the OEPP Director to order cessation of outside employment by a full-time employee, where the employment creates the appearance of impropriety to the public or where the employment interferes with the employee's ability to perform his or her job duties satisfactorily. The decision of the OEPP Director in such cases is not subject to appeal. (See Dual Employment policy for employment with another State agency.)

An employee may engage in outside activities for compensation where the following conditions are met:

- A.
The employee shall submit in writing a request to engage in outside employment to the Office Director or designee for approval. The employee must receive a written authorization from the Office Director or engaging in any outside employment.
- B.
The employee shall engage in the approved outside employment only during nonduty hours or when the employee is on pre-approved annual leave, compensatory leave, holiday leave, or leave without pay.
- C.
The employee shall not use Governor's Office facilities, funds, supplies, personnel, services, time or resources for the accomplishment of the outside employment. This provision in no way affects an employee's right to receive compensation for pre-approved annual leave, compensatory leave, or holiday leave.
- D.

The employee shall not represent, nor purport to represent, the Governor's Office, its Directors, or employees while engaged in outside employment, nor will the employee purport to establish official Governor's Office policy or doctrine by his or her participation in any form of outside employment. Nothing contained in this provision shall prevent an employee, for purposes of a biographical sketch, resume, curriculum vitae or similar descriptive document, from listing his or her employment with the Governor's Office. Such a listing will not constitute an endorsement of the subject matter, content or validity of the outside employment activity in which it appears.

E.

The employee shall not engage in outside employment which interferes with the needs of the Governor's Office or which creates a conflict of interest with his or her full-time employment at Governor's Office. "Conflict of Interest" for purposes of this provision, shall mean:

1. The outside employment activity has an objective contrary to the mission of the Governor's Office, or gives the appearance of having such an objective; or
2. The outside employment activity is with an entity or person regulated by the Governor's Office, or with whom the Governor's Office has a business relationship; or

F.

The employee shall not engage in outside employment as a consultant to any person or entity in an attempt to circumvent the afore described conflicts of interest.

G.

The employee shall not engage in outside employment which constitutes an unauthorized practice for full time state employees under the laws or policies of this state.

H.

The employee shall not use his or her position with the Governor's Office, nor any information gained as a result of his Governor's Office position, to secure, continue, promote, or otherwise affect the outside employment.

II. General Provisions

Approval for dual employment may be withdrawn if the efficiency, effectiveness or productivity of the employee deteriorates.

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